

**Court of Appeals, State of Michigan**

**ORDER**

People of Michigan v Jimmy Wayne Bennett

Karen M. Fort Hood  
Presiding Judge

Docket No. 260733

Michael J. Talbot

LC No. 02-009208 FH

Brian K. Zahra  
Judges

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The Court orders that the delayed application for leave to appeal is DENIED for lack of merit in the grounds presented.

Judge Zahra would vacate the sentence and remand for re-sentencing consistent with *People v Hendrick*, 261 Mich App 673.



A true copy entered and certified by Sandra Schultz Mengel, Chief Clerk, on

APR 12 2005

Date

*Sandra Schultz Mengel*  
Chief Clerk